

Virginia's Noxious Weed Regulation

Invasive Species Work Group Meeting
August 30, 2012

Larry Nichols
Virginia Department of Agriculture & Consumer Services

Noxious Weed Regulation

2VAC5-317

- Promulgated under Noxious Weed Law
 - Code of Virginia, Section 3.2-800 thru 808
 - Provides authority to:
 - List weeds to be regulated
 - Quarantines to regulate movement of listed weeds
 - Eradicate/Suppress to prevent dissemination
 - Defines Noxious weed as plant **not widely disseminated** which is detrimental to crops, surface waters, including lakes, or other desirable plants, livestock, land, or other property, or to be injurious to public health or the economy.

Related to Noxious Weeds.....

- Virginia Pest Law, Code of VA 3.2-700
- Code of Virginia 15.2 – 902
 - Counties Cities and Towns
 - Authority of locality to control certain noxious weeds
 - Localities can establish an ordinance to control
 - Johnsongrass
 - Multiflora rose
 - Musk or Curled thistle
- 2000 General Assembly
 - Listed Purple Loosestrife as a noxious weed

Noxious Weed Lists

- USDA APHIS – Federal List
 - Includes 112 plants
 - www.aphis.usda.gov/plant_health
- Department of Conservation & Recreation
 - Advisory List
 - No regulatory authority
 - www.dcr.virginia.gov/natural_heritage/invsppdflist

Regulatory Process:

■ Stage 1 – NOIRA

- Approved by Board (VDACS) in March, 2011
- Published in Virginia Register of Regulations
 - November 21, 2011
 - May 1, 2012 – Stakeholder Meeting
 - Includes provisions for an advisory committee

■ Stage 2

- Currently at Governor's Office

Key General Provisions of 2VAC5-317

- Regulation to eradicate, suppress, and prevent the dissemination of noxious weeds in the Commonwealth by:
 - Establishing a list of plants deemed by the Board of Agriculture and Consumer Services to be noxious weeds,
 - Prohibiting the movement of noxious weeds or articles capable of transporting noxious weeds into or within the Commonwealth,
 - Providing guidelines for the eradication/suppression.
 - Implementation of an Advisory Committee

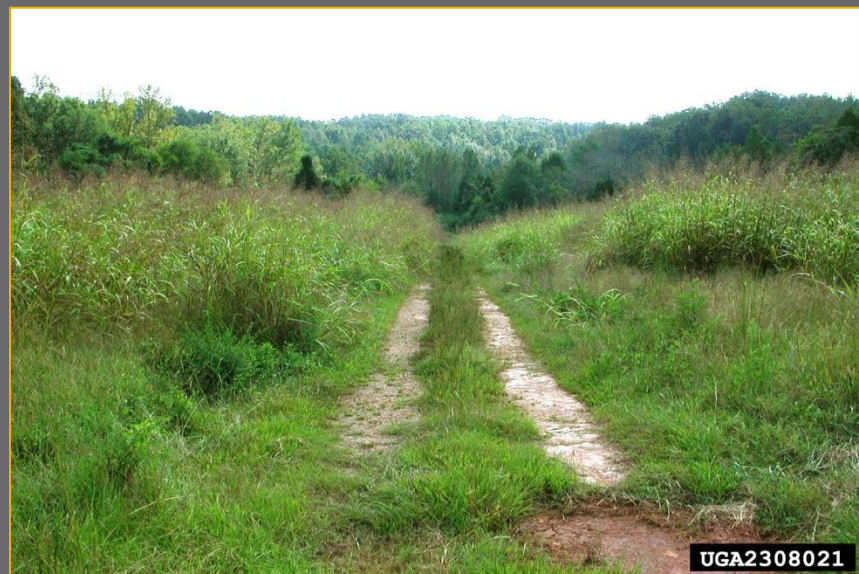
List of Plants

■ Tier 1 Noxious Weeds

- Not Native to Virginia
- No Known Populations or not widely disseminated
- Successful Eradication or Suppression is likely

■ Tier 2 Noxious Weeds

- Not Native to Virginia
- Not Widely Disseminated
- Successful Suppression is likely
- Eradication unlikely



Plant List – Tier 1

- Tier 1
 - Beach Vitex



Beach Vitex

09/16/2008

Plant List – Tier 1

■ Tier 1

- Beach Vitex
- Giant Salvinia*



Giant Salvinia

Plant List – Tier 1

■ Tier 1

- Beach Vitex
- Giant Salvinia*
- Giant Hogweed*



Giant Hogweed

Plant List – Tier 1

■ Tier 1

- Beach Vitex
- Giant Salvinia*
- Giant Hogweed*
- Tropical Soda*
Apple



Plant List – Tier 1

■ Tier 1

- Beach Vitex
- Giant Salvinia*
- Giant Hogweed*
- Tropical Soda*
Apple
- Wavy Leaf
Basketgrass



Wavy Leaf Basketgrass

Tier 2 List



Purple Loosestrife



Water Spinach*



Cogongrass*



Japanese Bloodgrass

Next Steps

- Comment Period
- Next Stakeholder Meeting
- Possible changes to text of regulation
- Future Additions/Deletions to list